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### **AZ State Treasurer: Governor's budget is unconstitutional**

Arizona State Treasurer Dean Martin said Monday he believes several provisions of Governor Janet Napolitano's proposed budget are unconstitutional.

Martin said a requirement for local governments to come up with nearly \$30 million violates a requirement in the state constitution, which requires both houses of the state legislature to pass any new revenue-generating mechanism by a two-thirds majority.

"This was a very deceptive way to try to shift the state's budget problems to local taxpayers," Martin said.

Martin is also challenging provisions on photo radar fees, surcharges on defensive driving courses, and other fees also violate the same constitutional requirement.

The fees, including the \$30 million from local governments, would total about \$100 million, and add to the state's \$1.2 billion budget shortfall.

State municipalities have already filed a lawsuit in protest of the new fees.

A spokesperson for Arizona Governor Janet Napolitano said the governor had anticipated a legal challenge, and the governor had hired a Phoenix law firm to represent the state.

**Steve Irvin**